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IV.—OATHS IN THE GREEK EPISTOLOGRAPHERS.

Though many¹ have investigated the oaths used in Greek comedy, dialogue, and oratory, the oaths used by the epistolographers seem never to have been studied in a comprehensive way.² In compiling the following list from Hercher's collection, an effort has been made to eliminate all curses, wishes, prayers, everything save genuine oaths, with the result that a considerable number of invocations, especially in the vocative, have been excluded.

OATHS BY THE GODS COLLECTIVELY (79).

μὰ τοὺς θεοὺς (22): Aen. 5; Aesch. 5. 1, 9. 2, 12. 16; Alciph. 2. 4. 17; Aristaen. 1. 28; Demos. 5. 3; Jul. 9. 6, 58. 6, 58. 15; Phalar. 31, 68, 95. 2, 119. 1, 124, 128, 131, 133, 137; Procop. 102, 116, 140. *μὰ τοὺς θεοὺς τοὺς σωτῆρας*: Jul. 58. 24. *μὰ τὸν Δία καὶ τοὺς ἄλλους θεοὺς*: Aesch. 11. 6. *νῆ θεοὺς*: Aristaen. 1. 4. *νῆ τοὺς θεοὺς* (14): Alciph. 2. 3. 3 (Menander); Aristaen. 1. 28; Hippoc. 17. 2; Jul. 6. 22. 2, 50. 2, 58. 19, 58. 21, 68. 1; Phalar. 125, 132; Plato 7. 349; Procop. 30; Synes. 104. 244 c. *πρὸς θεῶν* (15): Aristaen. 1. 5, 1. 6, 1. 22, 2. 1, 2. 4, 2. 7, 2. 15; Diog. 36. 4; Hippoc. 17. 23; Phalar. 142. 2; Procop. 101; Theophyl. 8, 12, 21, 23. *πρὸς τῶν θεῶν* (2): Alciph. 2. 2. 8; Jul. 58. 4. *πρὸς θεῶν καὶ δαιμόνων*: Alciph. 3. 39. 1. *πρὸς Διὸς τε ἱκεσίου καὶ θεῶν ὁμογνίων*: Hippoc. 26. *πρὸς Διὸς ξενίου καὶ πάντων τῶν θεῶν*: Demos. 5. 1. *ὦ θεοί* (8): Aesch. 12. 3; Alciph. 3. 50. 3, 3. 61. 3, 3. 72. 1; Jul. 26. 2; Phalar. 141. 2, 141. 3; Philostrate. 73. 3 (Gorgias 12). *ὦ θεοὶ καὶ δαίμονες οἱ τῆς ἀληθείας τῆς ἐν*

¹ Cf. the author's Princeton diss. (1910), *Studies in Menander*, Chapter I, Oaths in Menander, with the bibliography there cited. The most important collections of material are to be found in: Kühnlein, *De vi et usu precandi et iurandi formularum apud decem oratores Atticos*, progr. v. Neustadt a. d. H. (1882); Meinhardt, *De forma et usu iuramentorum, quae inveniuntur in comic. Gr. et Platonis, Xenophontis, Luciani sermone*, diss. Jena (1892); Ziebarth, *De iureiurando in iure Graeco quaestiones*, diss. Göttingen (1892).

² The epistolary oaths ascribed to the ten orators are incorporated in Kühnlein's collection, and those to Plato and Lucian in Meinhardt's.

ἀνθρώποις ἴστορες: Themist. 8. ὦ γῆ καὶ θεοί: Aristaen. 2. 20. θεοὶ ἐπιμάρτυρες ἔστων: Procop. 93. ὄμνυμι τοὺς θεούς: Pythag. 9. ὄμνυμι τοὺς θεοὺς αὐτοὺς καὶ τὸν ἐπὶ σοί με ἀνάπαντα πόθον: Jul. 59. 3. ὡς ἴσασιν οἱ θεοί (2): Jul. 4, 37. 2. ὡς ἴσασιν οἱ θεοὶ πάντες (2): Jul. 58. 10, 62. 7. ἴστω Ζεὺς, ἴστω μέγας Ἥλιος, ἴστω Ἀθηνᾶς κράτος καὶ πάντες θεοὶ καὶ πᾶσαι: Jul. 37. 4. ὄμνυμι τίνα θεῶν;: Aristaen. 2. 2. κατόμνυσθε τοὺς θεούς: Aristaen. 2. 20.

OATH BY THE TWELVE GODS.

μὰ τοὺς δώδεκα θεούς: Alciph. 2. 3. 8 (Menander).

OATHS BY ATHENA (3).

νῆ τὴν Ἀθηνᾶν (2): Alciph. 2. 3. 6 (Menander); Solon 4. ἴστω Ζεὺς, ἴστω μέγας Ἥλιος, ἴστω Ἀθηνᾶς κράτος καὶ πάντες θεοὶ καὶ πᾶσαι: Jul. 37. 4.

OATHS BY APOLLO (3).¹

νῆ τὸν Ἀπόλλωνα: Aristaen. 1. 4. Ἀπολλὸν ἀποτρόπαιε: Aristaen. 2. 1. μὰ τὸν Ἀρισταῖον καὶ τὸν Ἀπόλλω αὐτόν: Aelian 5.

OATH BY ARISTAEUS.

μὰ τὸν Ἀρισταῖον καὶ τὸν Ἀπόλλω αὐτόν: Aelian 5.

OATHS BY ARTEMIS (9).

μὰ τὴν Ἀρτεμιν (4): Alciph. 2. 1. 5, 2. 2. 6, 2. 4. 20; Aristaen. 1. 10. νῆ τὴν Ἀρτεμιν (5): Alciph. 2. 1. 8, 2. 4. 5, fr. 5. 4; Aristaen. 1. 6, 1. 11.

OATHS BY APHRODITE (17).

μὰ τὴν Ἀφροδίτην: Alciph. 2. 2. 2. νῆ τὴν Ἀφροδίτην (6): Alciph. 1. 39. 4, 2. 1. 1, 2. 1. 3, fr. 4. 1, fr. 5. 2; Aristaen. 1. 8. πρὸς τῆς Ἀφροδίτης (3): Alciph. 2. 2. 6; Aristaen. 1. 24, 1. 27. πρὸς τῶν Χαρίτων καὶ τῆς Ἀφροδίτης: Jul. 58. 3. δέσποινα Ἀφροδίτη (3): Alciph. 1. 32. 1, 1. 36. 3, 1. 39. 1. μαρτύρομαι τὴν Ἀφροδίτην: Aristaen. 1. 25. οὕτως ἔλεως εἴη μοι Ἀφροδίτη: Aristaen. 2. 13. νῆ τὴν μεγάλην θεόν: Alciph. 1. 39. 2.

OATH BY GÊ.

ὦ γῆ καὶ θεοί: Aristaen. 2. 20.

¹ In his review of Professor Wright's *Studies in Menander*, Boll. di fil. cl., XVIII (1912) 195, Terzaghi says that slaves swore by Apollo. There is a special propriety in this as Apollo himself was a slave to Admetus (A. J. P. XXXII 364).—B. L. G.

OATH BY DEMETER.

μὰ τὴν καλλιγένειαν: Alciph. 2. 4. 1.

OATHS BY THE TWO GODDESSES (5).

μὰ τὰς θεάς: Alciph. 2. 4. 3. μὰ τὰς Ἐλευσινίας θεάς, μὰ τὰ μυστήρια αὐτῶν: Alciph. 2. 3. 1 (Menander). νῆ τῷ θεῷ (2): Aristaen. 1. 19, 1. 27. νῆ τὰ μυστήρια: Alciph. 2. 2. 8.

OATHS BY JUSTICE (2).

νῆ τὴν Δίκην: Aristaen. 1. 20. νῆ τὴν θείαν δίκην: Jul. 54. 3.

OATHS BY DIONYSUS (2).

μὰ τὸν Διόνυσον καὶ τοὺς βακχικοὺς αὐτοῦ κισσοὺς: Alciph. 2. 3. 10 (Menander). ὦ φίλε Διόνυσε: Aristaen. 1. 18.

OATH BY DIONE.

νῆ τὴν Διώνην: Aristaen. 1. 19.

OATHS BY EROS (10).

μὰ τοὺς Ἔρωτας: Aristaen. 2. 16. νῆ τὸν Ἔρωτα τὸν εὐτυχῶς εἰς τὴν ἐμὴν τετοξευκότα ψυχὴν: Aristaen. 2. 21. νῆ τοὺς Ἔρωτας (4): Aristaen. 1. 7, 1. 22, 1. 27, 2. 13. πρὸς τοῦ Ἔρωτος: Aristaen. 2. 5. πρὸς Ἔρωτος: Philostrat. 13. πρὸς Ἔρωτος αὐτοῦ καὶ φιλίας ἐκείνης: Procop. 53. ὦ φίλοι Ἔρωτες: Procop. 15.

OATHS BY HERMES (2).

πρὸς Ἑρμοῦ καὶ Μουσῶν: Jul. 2. 1. Ἑρμῇ κερδῶε καὶ ἀλεξίκακε Ἡράκλεις: Alciph. 3. 47. 1.

OATH BY HESTIA.

νῆ τὴν ἱερὰν Ἑστίαν: Synes. 148. 284 c.

OATHS BY ZEUS (81).

μὰ Δία (19): Aesch. 12. 1; Alciph. fr. 6. 17; Aristaen. 1. 10, 2. 21; Brutus 56; Chio 3. 4; Diog. 29. 1 (twice); Hippoc. 20. 3; Jul. 22. 1, 50. 3, 61. 3; Phalar. 141. 2, 145; Procop. 48, 74, 146; Themist. 4. 1, 8. μὰ τὸν Δία (3): Aesch. 12. 9; Phalar. 136. 1, 144. 4. μὰ τὸν Δία καὶ τοὺς ἄλλους θεούς: Aesch. 11. 6. ναὶ μὰ Δία (2): Aristaen. 2. 12; Jul. 3. 1. νῆ Δία (15): Aelian 18; Alciph. 1. 39. 5, 1. 39. 7, fr. 6. 7; Brutus 40; Chio 16. 3; Demos. 4. 8; Hippoc. 17. 17; Jul. 59. 4; Luc. 3. 32; Phalar.

22, 141. 2, 143. 1; Socrat. 7. 2; Synes. 136. 272 b. νῆ τὸν Δία: Aristaen. 1. 13. νῆ τὸν Δία τὸν μέγιστον (2): Phalar. 77. 2, 113. νῆ τὸν Δία τὸν Ὀλύμπιον: Socrat. 27. 1. πρὸς Διὸς (9): Aesch. 2. 5; Alciph. 3. 5. 1; Aristaen. 1. 13, 2. 9, 2. 19; Phalar. 140. 2, 158; Procop. 58, 125. πρὸς τοῦ Διὸς: Jul. 58. 14. ὦ Ζεῦ (5): Jul. 52. 1; Procop. 9, 116, 161, 163. ὦ Ζεῦ βασιλεῦ: Hippoc. 17. 16. μὰ τὸν θεόν: Jul. 16. 6. μὰ τὸν Φίλιον τὸν ἐμόν τε καὶ σόν (2): Aristaen. 2. 14, Synes. 103. 241 c. ναὶ μὰ τὸν Φίλιον κτλ. (2): Synes. 49. 187 d, 59. 203 d. νῆ τὸν Φίλιον κτλ.: Synes. 129. 263 c. πρὸς φίλιου Διὸς: Aen. 1. πρὸς Διὸς φίλιου: Jul. 3. 2. πρὸς Διὸς φίλιου τε καὶ ἑταιρείου, καὶ τοῦ εἶτε κατὰ γῆν ἐν εὐσεβῶν χώρῳ ὄντος εἶτε κατ' ἄστρο Σωκράτους: Socrat. 27. 1. πρὸς Φιλίου (4): Procop. 75, 103, 116, 132. πρὸς ἑταιρείου Διὸς καὶ κοινῆς ἐστίας: Phalar. 79. πρὸς Διὸς τε ἱκεσίου καὶ θεῶν ὁμογνίων: Hippoc. 26. πρὸς Διὸς ξενίου καὶ πάντων τῶν θεῶν: Demos. 5. 1. ἴστω Ζεὺς: Jul. 22. 2. ἴστω Ζεὺς, ἴστω μέγας Ἥλιος, ἴστω Ἀθηνᾶς κράτος καὶ πάντες θεοὶ καὶ πᾶσαι: Jul. 37. 4. ἴτω Ζεὺς: Plato. 7. 345. μάρτυς ὁ Ἥλιος . . . καὶ ὁ βασιλεὺς Ζεὺς: Jul. 12. 1. ὁμνυμι τὸν πάντων ἀγαθῶν ἐμοὶ αἴτιον καὶ σωτήρα: Jul. 71. 2.

OATHS BY HELIOS (3).

νῆ τὸν Ἥλιον: Phalar. 142. 3. ἴστω Ζεὺς, ἴστω μέγας Ἥλιος, ἴστω Ἀθηνᾶς κράτος καὶ πάντες θεοὶ καὶ πᾶσαι: Jul. 37. 4. μάρτυς ὁ Ἥλιος καὶ ὁ βασιλεὺς Ζεὺς: Jul. 12. 1.

OATH BY HERA.

νῆ τὴν Ἥραν: Aristaen. 1. 19.

OATHS BY HERACLES (7).

μὰ τὸν Ἡρακλέα: Phalar. 64. νῆ τὸν Ἡρακλέα: Crates 8. Ἡράκλεις (4): Alciph. 3. 61. 1; Hippoc. 17. 20; Luc. 3. 32; Procop. 54. Ἑρμῇ κερδῶε καὶ ἀλεξίκακε Ἡράκλεις: Alciph. 3. 47. 1.

OATH BY THEMIS.

νῆ τὴν Θέμιν: Proclus, Typi Epistolares 40.

OATHS BY THE FATES.

ὦ φίλοι Μοῖραι: Alciph. 1. 38. 5.

OATHS BY THE MUSES (4).

μὰ τὰς φίλας Μούσας: Alciph. 2. 1. 7. νῆ τὰς Μούσας (2): Aristaen. 2. 5, 2. 19. πρὸς Ἑρμοῦ καὶ Μουσῶν: Jul. 2. 1.

OATH BY NEMESIS.

Νέμεσι δέσποινα: Alciph. fr. 4. 3.

OATHS BY THE NYMPHS (2).

πρὸς τῶν Νυμφῶν καὶ τοῦ Πανὸς τούτου: Alciph. fr. 6. 6. νῆ τὰς
κωλιάδας Νύμφας: Aristaen. I. 3.

OATHS BY PAN (2).

πρὸς τοῦ Πανός: Aelian I. πρὸς τῶν Νυμφῶν καὶ τοῦ Πανὸς
τούτου: Alciph. fr. 6. 6.

OATH BY POSEIDON.

πρὸς τοῦ σοῦ Ποσειδῶνος: Aristaen. I. 7.

OATHS BY SERAPIS (2).

ὄμνυμι τὸν μέγαν Σάραπιν: Jul. 5. 2. πρὸς τοῦ Σαράπιδος: Jul.
9. 3.

OATHS BY THE GRACES (6).

νῆ τὰς Χάριτας (4): Aristaen. I. 3, I. 14, I. 19; Procop. 135.
πρὸς τῶν Χαρίτων: Aristaen. I. 11. πρὸς τῶν Χαρίτων καὶ τῆς
'Αφροδίτης: Jul. 58. 3.

OATH BY THE SEASONS.

νῆ τὰς φίλας Ὠρας: Aristaen. I. 11.

OATHS BY THE DEMONS (2).

πρὸς θεῶν καὶ δαιμόνων: Alciph. 3. 39. I. ὧ θεοὶ καὶ δαίμονες οἱ
τῆς ἀληθείας τῆς ἐν ἀνθρώποις ἱστορες: Themist. 8.

OATHS BY GOD (8).

ταῦτα θεόν, ταῦτα ἀνθρώπους μαρτύρομαι: Synes. 105. 249 d.
μαρτύρομαι τὸν ἐπὶ πᾶσι θεόν: Synes. 57. 194 d. μάρτυς θεός (2):
Synes. 146. 282 d, 146. 283 a. νῆ τὸν ἔφορον ἀληθείας θεόν: Synes.
105. 250 c. ὄμνυμι θεὸν ὃν φιλοσοφία πρεσβεύει: Synes. 4. 162 c.
μάρτυρα ποιούμαι θεὸν ὃν φιλοσοφία πρεσβεύει: Synes. 123. 259 d.
μάρτυρα ποιούμαι θεὸν ὃν καὶ φιλοσοφία καὶ φιλία πρεσβεύει: Synes.
96. 236 a.

OATHS BY HUMAN ATTRIBUTES (32).

ταῦτα θεόν, ταῦτα ἀνθρώπους μαρτύρομαι: Synes. 105. 249 d. νῆ
τὴν τούτων τῶν κακῶν ἀπαλλαγὴν: Alciph. 2. 2. 8. πρὸς τούτων τῶν
γενέων: Philostrat. 13. νῆ τὴν τιμίαν σου διάθεσιν: Synes. 129.

263 d. ὅμοσα κατ' ἐξωλείας ἑμαντοῦ: Alciph. 3. 3. 4. πρὸς ἑταιρείου Διὸς καὶ κοινῆς ἐστίας: Phalar. 79. πρὸς τῆς σῆς εὐμουσίας: Aristaen. 1. 2. πρὸς τοῦ σοῦ κάλλους: Aristaen. 1. 4. νῆ τὴν ἱεράν σου κεφαλὴν (2): Synes. 95. 233 c, 105. 250 c. νῆ τὴν ἱεράν σου κεφαλὴν καὶ τὴν τῶν παιδίων μου σωτηρίαν: Synes. 95. 234 c. νῆ τὴν ἱεράν σου καὶ τριπόθητον κεφαλὴν: Synes. 79. 224 c. νῆ τὴν ἱερὰν ὕμῶν κεφαλὴν: Synes. 79. 226 d. μὰ τὴν τιμίαν σου κεφαλὴν: Synes. 134. 271 b. ναὶ μὰ τὴν φίλην σου καὶ σεβασμίαν κεφαλὴν: Synes. 67. 214 d. πρὸς τῶν λόγων: Synes. 73. 220 d. ναὶ μὰ τοὺς λόγους: Synes. 91. 231 c. ὀμνυμι οὐ τὴν πλάτανον τὴν Σωκράτους ἀλλὰ τοὺς λόγους αὐτούς: Procop. 63. πρὸς τῶν Θεαίδος μαστῶν καὶ φιλημάτων: Aristaen. 2. 16. μὰ τὸν σὸν Νεῖλον καὶ τὰς παρούσας σοὶ Χάριτας: Procop. 116. μὰ τὸν ὁμόγνιον τὸν ἑμὸν τε καὶ σόν: Synes. 95. 233 c. ναὶ μὰ τοὺς ἀψευδεῖς Παρρασίου πίνακας: Theophyl. 6. νῆ τὸ σὸν πρόσωπον: Aristaen. 2. 9. ὀμνυμι τὰς Χάριτας Πυθιάδος: Aristaen. 1. 12. πρὸς Διὸς φίλιον τε καὶ ἑταιρείον, καὶ τοῦ εἶτε κατὰ γῆν ἐν εὐσεβῶν χώρῳ ὄντος εἶτε κατ' ἄστρα . . . Σωκράτους: Socrat. 27. 1. μὰ τὴν σὴν φαρέτρην: Aristaen. 2. 13. πρὸς Ἐρωτος αὐτοῦ καὶ φιλίας ἐκείνης: Procop. 53. πρὸς σαντοῦ καὶ τῆς παλαιᾶς φιλίας ἡμῶν: Diony. Antioch. 16. μὰ ἑμὰν φρένα καιομέναν πόθῳ: Jul. 59. 1. ὀμνύω τοὺς θεοὺς καὶ τὸν ἐπὶ σοί με ἀνάψαντα πόθον: Jul. 59. 3. ναὶ πρὸς ἐμῆς καὶ τῶν αὐταδέλφων τῶν ἑμῶν σωτηρίας: Alciph. 3. 39. 3. πρὸς αὐτῆς τῆς ψυχῆς: Synes. 141. 278 a.

Apart from the oaths "by human attributes", the Christian oaths of Synesius "by God", and the Egyptian oath "by Serapis", the preceding list of 33 different types of oaths includes all the oaths used in Greek comedy, except those by Asclepius and Hephaestus (which are not found in Aristophanes, either), together with the following additional oaths, suggestive of post-classic and Alexandrian influence: By Aristaeus, Justice, Dione, Eros, Hera (an oath used especially by Socrates), Themis, Fates, Muses, Nemesis, Nymphs, Pan, Graces, and Seasons.

The 293 oaths are distributed among 25 of the 60 authors in Hercher's volume as follows:

Aelian (4): Apollo (1), Aristaeus (1), Zeus (1), Pan (1)
 4 types.

Aeneas (2): Gods collectively (1), Zeus (1) . . . 2 types.

Aeschines (9): Gods collectively (5), Zeus (4) . . . 6 types.

Alciphron (48): Gods collectively (7), Twelve Gods (1), Athena (1), Artemis (6), Aphrodite (11), Demeter (1), Two Goddesses (3), Dionysus (1), Hermes (1), Zeus (5), Heracles (2), Fates (1), Muses (1), Nemesis (1), Nymphs (1), Pan (1), Demons (1), Human attributes (3) 33 types.

Aristaenetos (60): Gods collectively (13), Apollo (2), Artemis (3), Aphrodite (5), Gê (1), Two Goddesses (2), Justice (1), Dionysus (1), Dione (1), Eros (7), Zeus (8), Hera (1), Muses (2), Nymphs (1), Poseidon (1), Graces (4), Seasons (1), Human attributes (6) 41 types.

Brutus (2): Zeus (2) 2 types.

Chio (2): Zeus (2) 2 types.

Crates (1): Heracles (1) 1 type.

Demosthenes (4): Gods collectively (2), Zeus (2) 3 types.

Diongenes (3): Gods collectively (1); Zeus (2) 2 types.

Dionysius of Antioch (1): Human attributes (1) 1 type.

Hippocrates (8): Gods collectively (3), Zeus (4), Heracles (1) 7 types.

Julian (43): Gods collectively (18), Athena (1), Aphrodite (1), Justice (1), Hermes (1), Zeus (13), Helios (2), Muses (1), Serapis (2), Graces (1), Human attributes (2) 25 types.

Lucian (2): Zeus (1), Heracles (1) 2 types.

Phalaris (29): Gods collectively (14), Zeus (12), Helios (1), Heracles (1), Human attributes (1) 12 types.

Philostratus (3): Gods collectively (1), Eros (1), Human attributes (1) 3 types.

Plato (2): Gods collectively (1), Zeus (1) 2 types.

Procopius (26): Gods collectively (6), Eros (2), Zeus (13), Heracles (1), Graces (1), Human attributes (3) 15 types.

Pythagoreans (1): Gods collectively (1) 1 type.

Socratics (4): Zeus (3), Human attributes (1) 3 types.

Solon (1): Athena (1) . . . 1 type.

Synesius (28): Gods collectively (1), Hestia (1), Zeus (5), God (8), Human attributes (13) 18 types.

Themistocles (4): Gods collectively (1), Zeus (2), Demons (1) 2 types.

Theophylactus (5): Gods collectively (4). Human attributes (1) 2 types.

Proclus, *Typi Epistolares* (1): Themis (1) 1 type.

Note especially that three authors, Aristaenetus, Alciphron, and Julian, contain 151 of the total of 293 oaths; and that three others, Phalaris, Synesius, and Procopius, contain 83 more, leaving the remaining 59 oaths to be divided among the other nineteen authors. The first group is further distinguished by the great variety of oaths; while with Synesius, the Christian writer, one is struck with the presence of non-Christian oaths.

The formulae largely conform to what we know to have been normal. *νῆ θεούς*, Aristaen. 1. 4, seems unique, elsewhere in Greek literature always *νῆ τοὺς θεούς*.¹ The epistolographers prefer *πρὸς θεῶν* (15) to *πρὸς τῶν θεῶν* (2), as do Plato and Menander and the Middle Comedy, in striking contrast with Aristophanes a further confirmation of the assumed popular decreasing use of the article.² In the oaths by Zeus, with *μά, νή, πρὸς* and without a modifying epithet, the shorter forms predominate 45 to five. This also is in keeping with the usage of Plato, Lucian,³ the Middle Comedy,⁴ and Menander.⁵ There are three violations of the general rule, proved for Aristophanes, Menander, and the orators, that oaths introduced by *πρὸς* are confined to imperative and interrogative sentences⁶: Aristaen. 1. 24 (corrupt), 1. 27; Jul. 59. 14.

There are many oaths cast in unusual, literary, non-idiomatic forms, but not more than might be expected in such artificial writers. The artificiality of some of these oaths is evidently recognized by the user. Thus, Procop. 93, *νυνὶ δὲ μὴ ῥσομαι γοῦν τι ποητικὸν καὶ ἐπὶ μέγαν ὄρκον ὁμοῦμαι, θεοὶ δ' ἐπιμάρτυρες ἔστων*; or Plato 7. 345, *ἴτω Ζεὺς φησιν ὁ Θηβαῖος*. Artificiality is a notable characteristic of most of the oaths under the heading, "Oaths by human attributes". This is

¹ Cf. *Studies in Menander*, 36, 71.

² *Ibid.*, 9.

³ Cf. Meinhardt, 18 f.

⁴ Cf. Selvers, *De mediae comoediae sermone*, diss. Westphalia (1909), 61.

⁵ Cf. *Studies in Menander*, 35. This applies to *μά, νή, πρὸς (τοῦ)*. *Διὸς* does not occur in the extant Menander.

⁶ *Ibid.*, 9.

balanced in most cases by peculiar appropriateness to the situation under which they are uttered or to the person to whom they are addressed. Such appropriateness appears elsewhere also, for, Alciph. 2. 4. 1, Glycera swears to Menander by Calligenia in whose temple she is. In Alciph. fr. 6. 6, one of the merry women swears by the Nymphs and the Graces whose statues stand near by. "By thy Poseidon", is the oath addressed, Aristaen. 1. 7, to a fisherman, and, id. 2. 21, the love-sick Abrocomas swears by Cupid who has shot so straight into his heart.

The established principles of sex appropriateness, also, are well observed: Women do not swear by Athena,¹ Apollo,² or Heracles.³ Men do not swear by Artemis.⁴ The oath by Poseidon⁵ is used by the maiden in the passage just mentioned, for the fisherman's sake. Aristaen. 1. 18, a woman invokes Dionysus,⁶ but she is one who knows and praises the charms of wine. Alciph. 2. 31 ascribes to Menander the oath by the two Goddesses,⁷ but it is to be noticed that it is not in the usual feminine form, and that it is addressed to a woman and is coupled with the oath by the mysteries, which were especially sacred in the eyes of every Athenian. Such exceptions rather attest than disprove the rules.

What bearing may this study have upon the vexed problem of the authenticity of the letters in Hercher's volume? As is well-known, a very considerable proportion of them were written, not by the philosophers, orators, or statesmen to whom they are ascribed, but by sophistic falsifiers of the Imperial Roman or Byzantine period. The ascription in whole or in part has been doubted by one or more scholars in the case of fourteen of the 25 "authors" of our list. These fourteen are⁸ Aeschines, Brutus, Chio, Crates, Demosthenes, Diogenes, Hippocrates, Julian, Phalaris, Philostratus, Plato, Pythagoras, Socrates, and Solon. From the investigations of Kühnlein and Meinhardt, we know the oaths used in the undisputed works of Aeschines, Demosthenes, and Plato, three of the fourteen. Do the same oaths occur in the letters ascribed to them? Those used in the "letters of Aeschines", *μὰ τοὺς*

¹ Ibid., 15.² Ibid., 18.³ Ibid., 45.⁴ Meinhardt, 57.⁵ Studies in Menander, 48.⁶ Ibid., 29 f.⁷ Ibid., 28.⁸ Cf. Christ, *Geschichte der griechischen Litteratur*⁵, s. v.

θεούς (3), ὦ θεοί (1), πρὸς Διός (1), μὰ τὸν Δία καὶ τοὺς ἄλλους θεούς (1), μὰ τὸν Δία (1), and μὰ Δία (1), are all common types of oaths and might well have been used in his orations. But it so happens that while the orator uses oaths that are similar in form, μὰ Δία, occurring twice, is the only one of these that he actually does use. Of those in the letters ascribed to Demosthenes, μὰ τοὺς θεούς (1) occurs twenty times in the orations, and νῆ Δία (1), 99 times; but πρὸς Διὸς ξενίου καὶ πάντων τῶν θεῶν (1) is to be found neither in the undisputed Demosthenes nor apparently elsewhere in classical Greek literature. The two oaths in the "Platonic" letters both occur in his surely authentic works: νῆ τοὺς θεούς (1), eleven times, and ἴττω Ζεὺς (1) in *Phaedo* 62 a, where, as in the letter, it is recognized as a peculiarly Theban oath: Cebes, the Theban, τῇ αὐτοῦ φωνῇ εἰπών. This might be conscious imitation, or mere coincidence. It certainly furnishes no conclusive evidence. Apparently oaths were not one of the characteristics of the style of their models which the epistolographers made any general effort to imitate. At least it is hazardous to use them as a test of the authenticity of the letters.

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